

ASSEMBLY BILL

No. 366

Introduced by Assembly Member Mullin

February 14, 2003

An act to amend Section 1522.02 of the Health and Safety Code, relating to care facilities, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 366, as introduced, Mullin. Child care: substitute employee registry.

Existing law authorizes the State Department of Social Services to adopt regulations to create substitute care facility employee registries for persons working at more than one facility licensed by the department, in order to permit these registries to submit fingerprint cards and child abuse index information for child care registries. Existing law additionally authorizes the department to operate a substitute child care employee registry pilot program for the above purposes, pursuant to specified criteria, and to charge an administrative fee to participating registry facilities.

This bill would specify that a child care worker employed by the substitute employee registry under the pilot program shall be registered with the registry, and not with an individual child care facility that temporarily employs the child care worker.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 1522.02 of the Health and Safety Code is amended to read:

1522.02. (a) The department may adopt regulations to create substitute employee registries for persons working at more than one facility licensed pursuant to this chapter, Chapter 3.01 (commencing with Section 1568.01), Chapter 3.2 (commencing with Section 1569), Chapter 3.4 (commencing with Section 1569.70), Chapter 3.5 (commencing with Section 1596.90), or Chapter 3.6 (commencing with Section 1597.30), in order to permit these registries to submit fingerprint cards, and child abuse index information for child care registries so that these facilities have available cleared care staff.

(b) The department may operate a substitute child care employee registry pilot program for the purposes of subdivision (a) and may charge participating registry facilities an administrative fee. The pilot program is subject to all of the following:

(1) The pilot program shall be limited to screening employees for facilities licensed as child care facilities.

(2) Registries shall not hire any child care worker for employment at a child care facility who requires an exemption from the criminal background clearance requirements of law.

(3) The department shall only guarantee the authenticity of criminal background and child abuse index information that registries provide to child care facilities. Any other information provided by registries may be verified by child care facility operators.

(4) *A child care worker employed by the substitute employee registry shall be registered with the registry, and not with the individual child care facility that temporarily employs him or her.*

(5) The department may limit the operation of the pilot program to the Counties of Alameda, Contra Costa, Monterey, San Benito, San Francisco, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, San Mateo, and Ventura.

SEC. 2. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

1 In order to expedite criminal background checks so as to enable
2 temporary child care employees to fill emergency vacancies in
3 child care facilities as soon as possible, it is necessary that this act
4 take effect immediately.

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